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PATENT
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Elaine Fabrizio

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Elaine Fabrizio

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Thomas L. Benjamin	Art Unit:	1632
Serial No.:	09/812,471	Examiner:	Q. Janice Li
Filed:	March 19, 2001	Customer No.:	21559
Title:	DIAGNOSING AND TREATING CANCER CELLS USING MUTANT VIRUSES		

Commissioner for Patents
Washington, D.C. 20231

DECLARATION OF GUY E. BEARDSLEY

I, Guy E. Beardsley, declare as follows:

I am employed by Clark & Elbing LLP as a Practice Systems Specialist. One of my responsibilities in this position is to ensure the delivery of firm mail to the United States Postal Service.

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All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 1/28/03

Guy E. Beardsley
Guy E. Beardsley

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045
00742.062002 Declaration of Guy E. Beardsley.doc



21559

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DECLARATION OF GUY E. BEARDSLEY
ATTESTING TO FILING DATE UNDER 37 C.F.R. § 1.8(b)
FOR CORRESPONDENCE MAILED BUT NOT RECEIVED BY THE PTO

1. I, Guy E. Beardsley, am an employee of Clark & Elbing LLP.
2. On April 25, 2002, Mary Jane DiPalma signed the certification of mailing directly stamped on the correspondence entitled "Reply to Restriction Requirement," which indicated that the correspondence and accompanying postcard were being deposited with the U.S. Postal Service on April 25, 2002.
3. I, or another designated employee checked that photocopies for the file had been made. The originals were then sealed in an envelope prepared with the address of

the Assistant Commissioner for Patents and I, or another designated employee deposited the correspondence with the U.S. Postal Service on April 25, 2002.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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